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**JUN 20 2008**

**OFFICE OF PETITIONS**

In re Application of :  
Tomas Brodsky et al. :  
Application No. 09/808,377 :  
Filed: March 14, 2001 :  
Attorney Docket No. US010059 :

ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed January 25, 2008, to revive the above-identified application.

The petition is **GRANTED**.

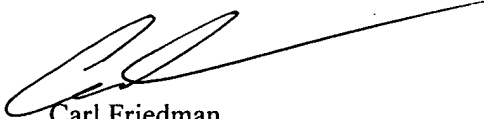
The application became abandoned for failure to timely reply within the meaning of 37 CFR 1.113 to the final Office action mailed February 1, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on May 2, 2006. A Notice of Abandonment was mailed on April 9, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee of \$810.00, and the submission required by 37 CFR 1.114; (2) the petition fee of \$1540.00; and (3) a proper statement of unintentional delay. Accordingly the RCE is accepted as being unintentionally delayed.

There is no indication that the person signing the petition was ever given a power of attorney or authorization of agent to prosecute the application. However, in accordance with 37 CFR 1.34(a), the signature appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party in whose behalf he acts.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at (571) 272-4618.

This application is being referred to Technology Center AU 2622 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment submitted in accordance with 37 CFR 1.114.

  
Carl Friedman  
Petitions Examiner  
Office of Petitions